

The amendment to claim 187

Lines 5-8 of claim 187 as amended on March 13, 2006 recites "representations of model entities", "hierarchies", and "information", i.e., the latter are not "representations of hierarchies" or "representations of information". The "of the hierarchies" and "of the information" language in line 12 as amended on March 13 is thus grammatically in error; Applicant has remedied the problem by removing the "of"s.

Traversal of the rejections under 35 U.S.C. 102(e)

The rejections of claims 187 and 198

As set forth in the *Abstract*, the Buteau reference discloses a system that evaluates an enterprise architecture to see how architectural changes to the enterprise affect the enterprise architecture. The enterprise architecture is represented using tables in a relational database system and includes a work flow model, an information model, and a technology model. The enterprise architecture itself is based on the Department of Defense's Technical Architecture Model for Information Management (TAFIM). Buteau's FIG. 2 shows the TAFIM model. As can be seen from FIG. 2 and the discussion of FIG. 1 at col. 1, lines 23-35, the TAFIM model is concerned with an enterprise's infrastructure, not with managing whatever it is that the enterprise is using the infrastructure to do. This concern with infrastructure is also apparent from the user interface shown at FIGs. 8-10. FIG. 8 shows a screen for inputting information about locations belonging to the enterprise; FIG. 9 shows an SQL query that is used in Buteau's system to return information about all processes that relate to customer data. FIG. 10 shows the result of the query. As is apparent from FIG. 9, users who wish to obtain information from Buteau's system must be extraordinarily skilled in SQL (see col. 22, lines 55-62). Buteau's system is in short not for use by the average member of the enterprise whose architecture is being modeled.

As is clear from the foregoing, Buteau's system is not about "supporting management of a business by persons involved therein" and its model is not "a model of the

business" (claim 187) and consequently cannot anticipate claim 187. Other limitations of claim 187 that are not disclosed in Buteau include the following:

- the user interface of FIGs. 8-10 does not "respond to the first inputs by outputting the representations of the model entities, the hierarchies, and/or the information to which the model entities provide access in tangible form" (claim 187, lines 111-14) and there is no hint of such a user interface in Buteau. Buteau discloses screens which permit the user to input information about entities (FIG. 8, col. 22, lines 20-31) and screens for inputting SQL queries (FIG. 9) and displaying the results of the queries (FIG. 10, col. 22, lines 33-62), but there is no disclosure whatever of an interface that outputs "the representations of the model entities, *the hierarchies, and/or the information to which the model entities provide access in tangible form.*"
- the representations of the model entities do not provide access to information (claim 187, lines 8 and 9). As disclosed, the only way to get information out of Buteau is to write an SQL query.

Because Buteau does not disclose the foregoing limitations of claim 187, it cannot serve as a basis for the rejection of the claim under 35 U.S.C. 102(e). Examiner will immediately see that similar arguments apply with regard to claim 198. The dependent claims are patentable because the claims they are dependent from are patentable. With regard to dependent claims 199-209, these claims describe various aspects of the GUI used in Applicants' system (see FIGs. 6-9, 12-35) and cannot reasonably be construed to read onto Buteau's SQL query interface.

Traversal of the objection to claims 197 and 210

These claims are Beauregard claims written in dependent form. Applicant's attorney has been using such claims for at least five years now and knows of nothing in 35 U.S.C. 112, fourth paragraph, 37 C.F.R. 1.75, or MPEP 608.01(n)(III) which prohibits such claims. The basic rule is set forth in 35 U.S.C. 112, fourth paragraph:

a claim in dependent form shall contain a reference to a claim previously set forth and then specify a further limitation of the subject matter claimed. A claim in dependent form shall be construed to incorporate by reference all the limitations of the claim to which it refers.

37 C.F.R. 1.75 and MPEP 608.01(n)(III) merely restate the above. Claims 197 and 210 both "contain a reference to a claim previously set forth and then specify a further limitation of the subject matter claimed". Taking claim 197 as an example, it reads as follows:

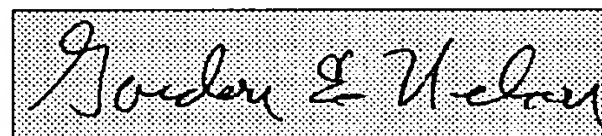
197. (previously presented) A data storage device, the data storage device being characterized in that:
the data storage device contains a program which, when executed in a computer system, implements the system set forth in claim 187.

5 It contains a reference to claim 187 and the language "implements the system set forth in claim 187" necessarily means that claim 197 includes all of the limitations of claim 187. The "further limitation" is that the system of claim 197 is implemented in a program contained in the data storage device. Claim 197, and claim 210, which is like claim 197 except that it refers to claim 198, are thus both perfectly proper dependent claims by the standards set forth in the patent statute, the patent rules of practice, and the MPEP.

Conclusion

Applicant has amended his claims to remedy a grammatical mistake and has traversed the rejection of the claims under 35 U.S.C. 102(e) and the objection to claims 197 and 210 as being improper dependent claims. Applicant has thus been completely responsive to Examiner's final Office action of 4/7/2006. No fees are believed to be required for this amendment. Should any be, please charge them to deposit account number 501315.

Respectfully submitted,

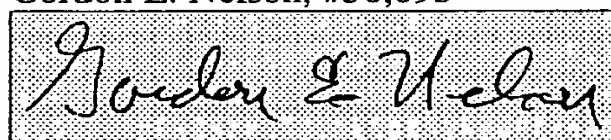


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